IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE NINTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE B. SUDERSHAN REDDY

and
THE HON'BLE MR JUSTICE RAMESH RANGANATHAN

WRIT PETITION NO : 12090 of 2005

Between:

1 S.Chinna Venkateswarlu S/o.Kondanna
R/o.Owk Village and Mandal, Kurnool District.
2 K.Venkata Pullaiah S/o.Thippanna
R/o.Owk Village and Mandal, Kurnool District.
3 K.Ramudu (Died) rep by his LR.Subbamma W/o.Late K.Ramudu
R/o.Owk Village and Mandal Kurnool District.
4 K.Ramudu S/o.Bubbaiah
R/o.Owk Village and Mandal Kurnool District.
5 K.Subbaiah S/o.late Subbaiah
R/o.Owk Village and Mandal Kurnool District.
6 G.Venkata Subbaiah S/o.Late Latchanna
R/o.Owk Village and Mandal Kurnool District.
7 Kanmisetty Narayana S/o.Late Pedda Atchanna
R/o.Owk Village and Mandal Kurnool District.
8 T.Pedda Govindu (Died), Rep. by his Lr.T.Nagamani

S/o.Late T.Pedda Govindu, R/o.OWk Village and Mandal

Kurnool District.
9 T.Chinna Govindu (Died), Rep by his LR. Latchanna. S/o.Late T.Chinna

Govindu, R/o.Owk Village and Mandal Kurnool District.
10 Pasula Ramudu (Died) Rep by his LR. Narayana, S/o.Late Pasula Ramudu
R/o.Owk Village and Mandal Kurnool District.
11 K./Lakshmanna S/o.Late Jalanna
R/o.Owk Village and Mandal Kurnool District.
12 Gurnala Subbamma W/o.Venkatapathi

R/o.Owk Village and Mandal Kurnool District.

13 Gurrala Latchanna S/o.Late Chinna Narayana
R/o.Owk Village and Mandal Kurnool District.

14 K.Venkata Swamy S/o.Subbanna
R/o.Owk Village and Mandal Kurnool District.

15 K.Peddanna S/o.Subanna
R/o.Owk Village and Mandal Kurnool District.

16 J.Ramudu S/o.Laxmanna
R/o.Owk Village and Mandal Kurnool District.

17 M.Sreeramulu S/o.Pedda Subbaiah
R/o.Owk Village and Mandal Kurnool District.

..... PETITIONERS

AND

1 The Special Dy.Collector (LA) S.R.B.C.Nandyal Kurnool District.
2 The Income Tax Officer Ward No.1, Nandyal, Kurnool District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a writ of Mandamus, or any other appropriate writ order or direction, directing the respondents herein not to deduct any amount from the compensation amounts payable to the writ petitioners under the Hon'ble High Court decrees passed in the cross appeals filed by the petitioners towards income tax and to pay the said amount to the petitioners forthwith and pass such other order or further orders.

Counsel for the Petitioner:MR.B.D.MAHESWARA REDDY

Counsel for Respondent No.1: GP FOR LAND ACQUISITION

Counsel for Respondent No.2 : Mr.S.R.ASHOK

The Court at the admission stage, made the following :

ORDER: (per the Hon'ble Sri Justice B.Sudershan Reddy)

We have heard the learned counsel for the petitioners and Sri S.R.Ashok, learned Senior Counsel for the Income Tax Department and at their request the matter is taken up for final disposal at the admission stage. Rule Nisi.

Following the Orders of this Court in W.P.No.6543 of 2001 dated 12.04.2001 and W.P.No.7291 of 2005 dated 12.04.2005, this Writ Petition is disposed of in terms of the same directions.

In the result, the petitioners are directed to furnish the required particulars in Form 15H and the Land Acquisition Officer shall verify the particulars and on being satisfied as to the correctness of the particulars furnished by the writ petitioners, shall file a memo in the reference Court expressing no objection for the disbursement of the amounts. It is needless to direct the Land Acquisition Officer not to make any deductions by himself towards payment of income tax while depositing

the amounts into the reference Court. The Land Acquisition Officer is bound to deposit the entire amount of compensation in terms of the decree.

(B.SUDERSHAN REDDY, J)

(RAMESH RANGANATHAN, J)

Dt: 09.06.2005

bsv/ks

To

1 The Special Dy.Collector (LA) S.R.B.C.Nandyal Kurnool District.
2 The Income Tax Officer Ward No.1, Nandyal, Kurnool District.

3 Two CCs to the Government Pleader for Land Acquisition, High Court

Buildings, A.P.,Hyderabad

4Two CD copies

5 Two CCs to Mr. S.R.Ashok, SC for Income Tax (OUT)